



MEETING OF THE
POLICE STANDARDS ADVISORY COUNCIL
FEBRUARY 18, 2015

I. CALL TO ORDER

Chairman, Chief Timothy Larby called the regular monthly meeting of the Police Standards Advisory Council, hereinafter P.S.A.C., to order at 9:07 A.M.

As amended by LB 898, 2006 Legislature, a current copy of the *Nebraska Open Meetings Act* was available for public review and reference. Notice of the meeting was published in the Lincoln Journal Star on February 10, 2015.

Members in attendance: Chief Timothy Larby, Sheriff Larry Koranda, Mr. Matthew McCarthy, Captain Genelle Moore, and Sheriff Jerry Watson. Chief Robert Lausten and Lieutenant Colonel Thomas Schwarten were not present. Crime Commission and N.L.E.T.C. staff present: Darrell Fisher, William Muldoon, David Stolz, Brenda Urbanek and Kay Fielding. Others present: Sergeant Cody Paro, Nebraska State Patrol; Sheriff Jeff Davis and Chief Deputy Greg London of the Sarpy County Sheriff's Office.

II. APPROVAL OF JANUARY 21, 2015 P.S.A.C. MINUTES

MOTION

Captain Moore motioned to approve the minutes. Sheriff Koranda seconded the motion. **Voting in favor:** Chief Timothy Larby, Sheriff Larry Koranda, Mr. Matthew McCarthy, Captain Genelle Moore, and Sheriff Jerry Watson.

III. ACADEMY REPORTS

A. Director – N.L.E.T.C.

Mr. Muldoon stated on Tuesday the rescue squad had been called for a dispatch student staying at the Training Center who was in distress and unresponsive. Some of our basic students, as well as, another dispatcher and Supervision student performed CPR and utilized the AED. The student was taken to the Saint Francis Hospital and was currently in a medically induced coma.

Mr. Muldoon reviewed the Monthly Summary Report stating he had attended the Blue Courage Advisory Board meeting in Washington and Nebraska has joined Arizona, the City of Baltimore and Washington State as a test site for taking the Blue Courage curriculum and injecting it into our current curriculum. It's very important that instructors attend to see for themselves and somebody in charge of an academy to coordinate where the lessons should be. I encourage all

four academies to fully participate. The Blue Courage team wants anyone assigned to an academy, full-time in particular, to be there so they understand and carry this program further. In order to perpetuate the program and keep it going after somebody retires from the academy you need to have trainers in state to keep it going. This is a D.O.J. funded project. We have been looking at this for three or four years.

We may have a chance of bringing in a one-day Influence the Influencer training that we may do on the eastern part of the state.

The Omaha Training Academy would like to develop a Reactivation curriculum they could teach locally. I outlined our thoughts on it and invited them to develop a curriculum that they could present to this body on a future date. I believe their largest impediment is sending people to Grand Island for a week and wanted the ability to do this on the eastern side of the state.

B. Deputy Director of Training – N.L.E.T.C.

Ms. Urbanek reported the 190th Basic Training Session was in week 7 with 44 students. 2 students have left training since the last meeting.

Supervision was being held this week. Unit one of Reciprocity and Reactivation closed on February 12th; it started with 6 reactivation students and 1 reciprocity student with all the students completing everything. They are currently here attending the onsite refresher week; we originally scheduled it for 40 hours however we have found when there are only 6 people, it does not take that amount of time to complete the amount of repetitions and classroom instruction. One reactivation student withdrew after being appointed to the Parole Board.

The Legal unit begins Monday, February 23rd. Mr. Stolz will meet with the students this week to set timelines and benchmarks to get them through the next unit. The final testing date is set for March 30th.

In the meeting with the Omaha Training staff they were initially contemplating holding their own entire reactivation course, but decided to look only at conducting onsite skills training and they will participate in our online training portions. I have been working with their staff in what we cover so they have an understanding of what is addressed. I believe the biggest issue is traveling to Grand Island for three or four days. Omaha P.D. does not use PPCT as their Defensive Tactics system so we would need to evaluate whether their training meets or exceeds what the Training Center teaches, for the state certificate issued by this body. I am not opposed to what they are training, as long as they are covering everything we cover here. At what part does it get so detached from a state curriculum that it becomes an agency specific certificate; somebody from Omaha could get reactivated from their program, go through all their onsite training then leave to be the police chief in another agency, based on the Omaha training with all their officers trained through the Training Center; it's something we will need to look at.

Director Muldoon stated the fees associated with reactivation would be: processing, tuition generated from Unit 1 and Unit 2, and certification reactivation.

C. Nebraska State Patrol

Sergeant Paro reported the Patrol held their last session of traffic in-service last week; the last in-service for the year is investigative services which will begin next week.

The 39 cadets in Camp 56 completed week 14 with Radar and LIDAR and are on comp time this week. The cadets will be back Sunday night with training resuming on Monday.

Normally inspection is conducted by different troop area commanders or their designees, but Training Center Instructor John York inspected the cadets and barracks. He then addressed the camp and talked about the interoperability of different agencies.

IV. CRIME COMMISSION REPORT

Mr. Fisher stated Friday would be the public hearing for LB605, the main prison reform bill. It takes into consideration what the Council of State Government brought forward as their recommendations from the final report from the Justice Reinvestment working group. Both 605 and 606 encompass what was discussed by the working group all summer long.

LB 13; community based juvenile aid bill, is advancing nicely. The Crime Commission is focused on it because we have an opportunity to get grant money for NCJIS. This Bill will probably be consolidated with other bills that have to do with the Child Welfare Reform, Foster Care in particular, to give additional monies to develop their own database system. We have taken the position with Senator Krist of why we would throw state dollars into systems they would have to build when NCJIS already has the footprint to do it.

LB 354; Crime Victims Reparation Bill, set for public hearing March 4th, would increase the amount of money set aside every year for crime victim reparations. According to an article last fall in the Lincoln and Omaha papers, Nebraska is dead last in the country for money allocated to crime victim's reparations. We have suggested they raise the amount from \$10,000 to \$15,000.

LB 167, put out by the Office of Violence Prevention, would require an annual report. The Bill had 4 debates and passed.

My appointment as the Executive Director of the Nebraska Commission on Law Enforcement and Criminal Justice has been made.

After discovering that the Lincoln Airport Authority and Omaha Airport were fully constituted law enforcement agencies I have requested they provided me with a racial profiling report. Both agencies have been provided with a model policy and I am sure they will be in full compliance in a short amount of time.

V. OLD BUSINESS

No old business

VI. NEW BUSINESS

A. Revocation LR-108-14; Shannon L. Fries

Mr. Stolz presented Mr. Fries' Consent to Revocation of Law Enforcement Certificate and Waiver of Notice and Hearing asking that it be marked as Exhibit #1 and accepted into evidence.

Chairman Larby received and accepted Exhibit #1 into the record.

Mr. Stolz framed the revocation for the Council stating the Consent was signed by Fries on December 17, 2014, acknowledging that he was a current holder of law enforcement certifications issued by the State of Nebraska and that he freely and voluntarily consented to the revocation of his Nebraska Law Enforcement Certificates by the Police Standards Advisory Council and the Nebraska Commission on Law Enforcement and Criminal Justice and freely and voluntarily waived his right to notice, appearance and hearing prior to such revocation action being taken.

Based on the respondent signing the Consent, and it being accepted into the record, I would ask that this body accept his relinquishment and surrenderment and recommend to the Commission that the respondent's law enforcement certificates be revoked. And essentially I would put forward that his actions constitute neglect of duty, incompetence and emotional incapacity to perform the job.

MOTION

Captain Moore motioned; based on the fact that the respondent has signed a Consent to Revocation of Law Enforcement Certificate and the Supervision Certificate and the Waiver of Notice and Hearing and has voluntarily surrendered all his certificates, I make a motion that the Council accept the surrender of Shannon L. Fries, Nebraska Law Enforcement Certificate as evidence of neglect of duty and or incompetence. Said revocation to be effective upon review and acceptance of the surrender by the Nebraska Commission on Law Enforcement and Criminal Justice. Sheriff Watson seconded the motion. **Voting in favor:** Captain Genelle Moore, Sheriff Larry Koranda, Chief Timothy Larby, Mr. Matthew McCarthy, and Sheriff Jerry Watson. Motion carried.

B. 2014 Annual Handgun Qualification/Continuing Education Waiver Requests

<u>NAME</u>	<u>AGENCY</u>	<u>WAIVER</u>
Brandt, Arvin L	Antelope Co Shf's Off	Continuing Ed. Firearms
Halley, Stephen A	Blair Police Dept	Firearms
Bohac, Frank J	Buffalo Co Shf's Off	Continuing Ed. Firearms
Towler, Andrea F	Buffalo Co Shf's Off	Continuing Ed. Firearms
Rekart, Toby A	Columbus Police Dept	Continuing Ed.
McLeish, Steven E	Fairmont Police Dept	Continuing Ed. Firearms
Ball, Larry D	Lincoln Airport Authority	Continuing Ed. Firearms
Strom, David W	Lincoln Airport Authority	Continuing Ed.
Mangels, Robert J	Lincoln Police Dept	Continuing Ed.
Towle, Thomas E	Lincoln Police Dept	Continuing Ed.
Burch, Thomas D	McPherson Co Shf's Off	Continuing Ed.
Schebaum, Dana K	Nebraska City Police Dept	Firearms
Buettner, Donald F	NSP	Continuing Ed. Firearms
Jones, Jason D	NSP	Continuing Ed. Firearms
Kissler, Ronald L	NSP	Firearms
Goodrich, Eric J	Omaha Police Dept	Continuing Ed.
Kilgore, Jeffrey M	Omaha Police Dept	Continuing Ed.
Makell, Keith D	Omaha Police Dept	Continuing Ed.
Martin, Mike J	Omaha Police Dept	Firearms
Parks, Ricardo C	Omaha Police Dept	Continuing Ed.
Reisbig, Greg S	Omaha Police Dept	Continuing Ed.
Rowe, Kenneth A	Omaha Police Dept	Continuing Ed. Firearms
Thompson, Keith P	Omaha Police Dept	Firearms
Tomsu IV, Louis J	Omaha Police Dept	Continuing Ed.
Wells, Larry R	Omaha Police Dept	Firearms
Wheatley, Bryant D	Omaha Police Dept	Continuing Ed.
Wiles, Cynthia L	Omaha Police Dept	Continuing Ed.

<u>NAME</u>	<u>AGENCY</u>	<u>WAIVER</u>
Mattern, Katherine E	Papillion Police Dept	Firearms
Squires, Stephanie	Sarpy Co Shf's Off	Firearms
Kildare, John K	Seward Police Dept	Continuing Ed.
Humphrey, Shawn M	York Police Dept	Continuing Ed.

Mr. Stolz addressed the Council stating in order to protect the confidentiality of certain medical issues involving officers, the Council has always went into executive session to consider the issues. I believe Sarpy County Sheriff's Office is here to present on at least one of those officers and I would ask that this body entertain a motion to go into executive session to consider these but allow for the purposes of presenting, the Sheriff and his Chief Deputy, here today, to present in executive session, and then be removed when you go to consider. I think we can honor the confidentiality and privacy of our officers preventing needless injury to the reputation of the officers in these waivers by doing this.

MOTION

Captain Moore, I would move that the Council go into Executive session based on the prevention of needless injury to the reputation of the ones presented here on the 2014 Annual Handgun qualification/Continuing Education Request. For the purposes of this motion, we will allow Sarpy County to be in executive session to present their case. Sheriff Koranda seconded the motion. **Voting in favor:** Mr. Matthew McCarthy, Captain Genelle Moore, Sheriff Jerry Watson, Chief Timothy Larby, and Sheriff Larry Koranda.

The Council went into Executive Session at 9:47 AM. Sheriff Davis and Chief Deputy London of Sarpy County presented their waiver request to the Council then left to return to Sarpy County during Executive Session.

MOTION

Mr. McCarthy motioned to come out of Executive Session. Sheriff Watson seconded the motion. **Voting in favor:** Sheriff Jerry Watson, Chief Timothy Larby, Sheriff Larry Koranda, Mr. Matthew McCarthy, and Captain Genelle Moore.

The Council came out of Executive Session at 10:57 AM. Executive Director Fisher and all Council members present before the meeting were again present.

MOTION

Sheriff Koranda motioned to grant the following waivers:

Firearms - Stephen A. Halley, Blair Police Department
 Continuing Education & Firearms - Frank J. Bohac, Buffalo County Sheriff's Office
 Continuing Education - Toby A. Rekart, Columbus Police Department

Continuing Education - David W. Strom, Lincoln Airport Authority
Continuing Education - Robert J. Mangels, Lincoln Police Department
Continuing Education - Thomas D. Burch, McPherson Co. Sheriff's Office
Firearms - Dana K. Schebaum, Nebraska City Police Department
Continuing Education and Firearms - Donald Buettner, NSP
Continuing Education and Firearms - Jason D. Jones, NSP
Firearms - Ronald L. Kissler, NSP
Firearms - Mike J. Martin, Omaha Police Department
Continuing Education & Firearms - Kenneth A. Rowe, Omaha Police Department
Firearms - Keith P. Thompson, Omaha Police Department
Continuing Education - Louis J. Tomsu IV, Omaha Police Department
Firearms - Larry R. Wells, Omaha Police Department
Firearms - Katherine E. Mattern, Papillion Police Department
Firearms - Stephanie Squires, Sarpy County Sheriff's Office
Continuing Education - Shawn M. Humphrey, York Police Department

Sheriff Watson seconded the motion. **Voting in favor:** Chief Timothy Larby, Sheriff Larry Koranda, Mr. Matthew McCarthy, Captain Genelle Moore, and Sheriff Jerry Watson. Motion carried.

MOTION

Sheriff Watson motioned to table the following waiver requests till the March Police Standards Advisory Council meeting:

Continuing Education & Firearms - Alvin L. Brandt, Antelope Co. Sheriff's Office
Continuing Education & Firearms - Andrea F. Towler, Buffalo Co. Sheriff's Office
Continuing Education & Firearms - Steven E. McLeish, Fairmont Police Department
Continuing Education & Firearms - Larry D. Ball, Lincoln Airport Authority
Continuing Education - Thomas E. Towle, Lincoln Police Department
Continuing Education - Eric J. Goodrich, Omaha Police Department
Continuing Education - Jeffrey M. Kilgore, Omaha Police Department
Continuing Education - Keith D. Makell, Omaha Police Department
Continuing Education - Richardo. C. Parks, Omaha Police Department
Continuing Education - Greg S. Reisbig, Omaha Police Department
Continuing Education - Bryant D. Wheatley, Omaha Police Department
Continuing Education - Cynthia L. Wiles, Omaha Police Department
Continuing Education - John K. Kildare, Seward Police Department

Captain Moore seconded the motion. **Voting in favor:** Sheriff Larry Koranda, Mr. Matthew McCarthy, Captain Genelle Moore, Sheriff Jerry Watson, and Chief Timothy Larby. Motion carried.

C. Instructor Certification/Recertification

Legal Recertification

King, Frederick – Nebraska State Patrol
Wussow, Wendy – Nebraska State Patrol

General Certification

Wilczynski, Jeff – Nebraska State Patrol

Professional Recertification

Bockstadter, Brent – Nebraska State Patrol
Connelly, Jarrod – Nebraska State Patrol
McKinstry, Jud – Nebraska State Patrol
Neumiller, Dion – Nebraska State Patrol
Williams, Mark – Nebraska State Patrol

Mr. Muldoon stated Ms. Urbanek was busy instructing now but had reviewed all the applications and recommended approval as listed.

MOTION

Mr. McCarthy motioned to approve the Legal Recertification of Frederick King and Wendy Wussow of the Nebraska State Patrol. Sheriff Koranda seconded the motion. **Voting in favor;** Mr. Matthew McCarthy, Captain Genelle Moore, Sheriff Jerry Watson, Chief Timothy Larby, and Sheriff Larry Koranda. Motion carried.

MOTION

Captain Moore moved to grant General Certification for Jeff Wilczynski of the Nebraska State Patrol. Sheriff Koranda seconded the motion. **Voting in favor;** Captain Genelle Moore, Sheriff Jerry Watson, Chief Timothy Larby, Sheriff Larry Koranda, and Mr. Matthew McCarthy. Motion carried.

MOTION

Sheriff Watson moved to approve the Professional Recertification for Bockstadter, Brent – Nebraska State Patrol, Connelly, Jarrod – Nebraska State Patrol, McKinstry, Jud – Nebraska State Patrol, Neumiller, Dion – Nebraska State Patrol, and Williams, Mark – Nebraska State Patrol. Sheriff Koranda seconded the motion. **Voting in favor:** Sheriff Jerry Watson, Chief Timothy Larby, Sheriff Larry Koranda, Mr. Matthew McCarthy, and Captain Genelle Moore. **Motion carried.**

D. Minatare Police Department Fine

Mr. Muldoon discussed the information in the agenda packet for non-compliance of the annual firearms/continuing education report along with the invoice to the Village of Minatare for the

Council approved fine for non-compliance of the Annual Census Report. They also received notice of suspension for the three officers we did not receive waivers on for deficiencies.

Their city attorney visited with me and I expected them to be here today. They wanted to bring up that they thought they were in compliance with the reporting by January 7th, the attorney did afford me a firearms listing of a fax with a watermark of January 5, 2015, but in looking at the document, their city clerk and chief signed it on February 12, 2015. I have asked for the originals of these documents and may wish to pursue other measures once I have received the documents. This was Minatare's day to talk about the fine; the deadline for an appeal of the suspensions has passed and we have not received anything. The continuing education submitted for the two was a typed roster of classes taken; at this point, in view that it is for a waiver request or because of the suspension, I have asked that they swear before a court or county clerk attesting that the information is true. We have not received anything yet.

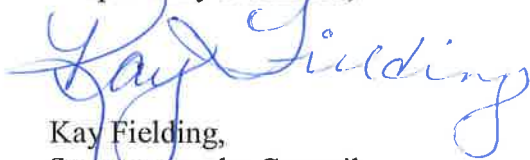
- E. Course Cancellation Due to Lack of Enrollment - February 12-13, 2015**
Advanced Roadside Impaired Driving Enforcement (ARIDE)
New Date – April 2-3, 2015

VII. OTHER BUSINESS

- A. Date, Time & Location of Next Meeting**
March 18, 2015, 9:00; Library, Nebraska Law Enforcement Training Center,
3600 North Academy Road, Grand Island, Nebraska 68801

Hearing no other business Sheriff Watson motioned to adjourn the meeting. Captain Moore seconded the motion; all were in favor. The meeting ended at 11:25 AM.

Respectfully submitted,



Kay Fielding,
Secretary to the Council